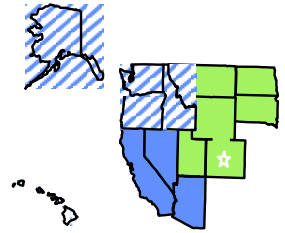




US Army Environmental Center  
Western Regional Environmental Office  
REGION 10 – JANUARY 2003  
**WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback & encourage you to submit suggestions for future discussion. Please contact Marius Gedgaudas at the Western Regional Environmental Office, U.S. Custom House, 721 19<sup>th</sup> Street, Room 427, Denver, CO 80202-2500, phone (303) 844-0954, fax (303) 844-0951, or email [mgedgaud@rma.army.mil](mailto:mgedgaud@rma.army.mil)

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**DID YOU KNOW?**

- The electronic version of the Western Region Review has been enhanced to increase ease in navigating through the document. Simply "click" on a topic in the table of contents and go directly to that section – to return to the top of the section click "top of section" - and to return to the top of document click "top of review". In addition, the agency emblems/logos and state flags hyperlink directly to the website – simply click and you are on your way.

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## FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



### ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

#### AIR INFORMATION:

**FINAL RULE – NESHP FOR PAPER AND WEB COATING** – On 4 December 2002 (67 FR 72329), EPA finalized national emission standards for hazardous air pollutants (NESHP) for facilities that coat paper and other web substrates and are major sources of hazardous air pollutants (HAP) emissions. The standards implement section 112(d) of the Clean Air Act (CAA) to protect public health and the environment by reducing HAP emissions from new and existing facilities. The CAA requires these sources to apply the maximum achievable control technology (MACT) for HAP emissions. The final standards will eliminate approximately 80 percent of nationwide HAP emissions from facilities that coat paper and other web substrates. The rule was effective 4 December 2002. For further information, contact Paul Almodovar, EPA at (919) 541-0283.

**PROPOSED RULE – NESHP FOR SURFACE COATING OF PLASTIC PARTS AND PRODUCTS** – On 4 December 2002 (67 FR 72275), EPA proposed NESHP for plastic parts and products surface coating operations located at major sources of HAP. The proposed standards would require these operations to meet HAP emission standards reflecting the application of MACT. The proposed rule would protect air quality and promote the public health by reducing emissions of HAP including methyl ethyl ketone, methyl isobutyl ketone, toluene, and xylenes. The proposed standards would reduce nationwide HAP emissions from major sources in this source category by approximately 80 percent. Comments must be submitted by 3 February 2003. For further information, contact Kim Teal, EPA at (919) 541-5580.

**PROPOSED RULE – REVISIONS TO NESHP GENERAL PROVISIONS AND REQUIREMENTS FOR CONTROL TECHNOLOGY DETERMINATIONS FOR MAJOR SOURCES** – On 9 December 2002 (67 FR 72875), EPA proposed specific amendments to the General Provisions for NESHP, and to the rule establishing requirements for case-by-case determinations under Clean Air Act section 112(j). EPA proposed to establish a new timetable for the submission of section 112(j) Part 2 applications that is intended both to avoid the expenditure of unnecessary resources by affected sources and permitting authorities, and to create new incentives for prompt completion of the remaining standards. EPA also proposed to make several changes in the General Provisions rule that establishes general procedures for preparation, maintenance, and periodic revision of startup, shutdown, and malfunction plans, and to revise a record-keeping provision. Comments must be submitted by 20 January 2003. For further information, contact Rick Colyer, EPAS at (919) 541-5262, or e-mail [colyer.rick@epa.gov](mailto:colyer.rick@epa.gov).

**PROPOSED RULE – NESHP FOR STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES** – On 19 December 2002 (67 FR 77829), EPA proposed NESHP for stationary reciprocating internal combustion engines (RICE) with manufacturer's nameplate rating above 500 brake horsepower located at major sources of HAP. EPA has identified stationary RICE as a major source category of HAP emissions such as formaldehyde, acrolein, methanol, and acetaldehyde. The proposed rule would require all major sources to meet HAP emission standards reflecting the application of MACT for RICE. EPA estimates that the proposed rule would reduce nationwide HAP emissions from major stationary RICE by approximately 5,000 tons/year in the 5th year after the standards are implemented. Comments must be submitted by 18 February 2003. For further information, contact Sims Roy, EPA at (919) 541-5263, or e-mail: [roy.sims@epa.gov](mailto:roy.sims@epa.gov).

**PROPOSED RULE – NESHAP FOR IRON AND STEEL FOUNDRIES** – On 23 December 2002 (67 FR 78273), EPA proposed NESHAP for iron and steel foundries. EPA has identified iron and steel foundries as a major source of HAP emissions. These proposed standards will require all major sources to meet HAP emission standards reflecting the application of MACT. The HAP emitted by facilities in the iron and steel foundries source category include metal and organic compounds. For iron and steel foundries that produce low alloy metal castings, metal HAP emitted are primarily lead and manganese with smaller amounts of cadmium, chromium, and nickel. For iron and steel foundries that produce high alloy metal or stainless steel castings, metal HAP emissions of chromium and nickel can be significant. Organic HAP emissions include acetophenone, benzene, cumene, dibenzofurans, dioxins, formaldehyde, methanol, naphthalene, phenol, pyrene, toluene, triethylamine, and xylene. Exposure to these substances has been demonstrated to cause adverse health effects, including cancer and chronic or acute disorders of the respiratory, reproductive, and central nervous systems. The proposed NESHAP would reduce nationwide HAP emissions from iron and steel foundries by over 900 tons per year. Comments must be submitted by 21 February 2003. For further information, contact Kevin Cavender, EPA at (919) 541-2364.

### WASTE INFORMATION:

**DRAFT GUIDANCE – CONTAMINATED SEDIMENT REMEDIATION FOR HAZARDOUS WASTE SITES** – On 3 December 2002 (67 FR 71964), EPA published a notice regarding the availability of a document titled: "Contaminated Sediment Remediation Guidance for Hazardous Waste Sites," and requested public comments. EPA will accept comments on all aspects of the draft guidance, but comments are specifically solicited for the following topics: Approaches to sediment characterization; evaluation methods for sediment stability; measurement methods for natural recovery processes; methods to reduce dredging resuspension and residual contamination; new in-situ technologies; and monitoring methods. Comments received may be used to revise the draft guidance or to assist with future EPA guidance on this topic. Comments are due by 3 March 2003. For further information, contact Stephen Ells, EPA at (703) 603-8822, or link <http://www.epa.gov/superfund/resources/sediment>.

### WATER INFORMATION:

**PROPOSED RULE – NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES** – On 20 December 2002 (67 FR 78115), EPA proposed a NPDES general permit for discharges from large and small construction activity. The proposed permit will replace the existing permit covering large construction sites in EPA Regions 1, 2, 3, 7, 8, 9 and 10 that expires on 17 February 2003. In addition, the proposed permit incorporates coverage of small construction activity in EPA Regions 1, 2, 3, 5, 6, 7, 8, 9 and 10. The proposed permit is similar to the existing permits and will authorize the discharge of pollutants in storm water runoff associated with construction activities in accordance with the terms and conditions described therein. Comments on the proposed general permit must be submitted by 3 February 2003. For further information, contact Jack Faulk, EPA at (202) 564-0768 or e-mail: [faulk.jack@epa.gov](mailto:faulk.jack@epa.gov).

**NOTICE OF AVAILABILITY – REVISION OF NATIONAL WATER QUALITY CRITERIA** – On 27 December 2002 (67 FR 79091), EPA published a revision of fifteen of its national recommended water quality criteria for protecting human health. This revision is a partial update based on EPA's new methodology for deriving human health criteria. The fifteen criteria included in this notice are: chlorobenzene; cyanide; 1,2-dichlorobenzene; 1,4-dichlorobenzene; 1,1-dichloroethylene; 1,3-dichloropropene; endrin; ethylbenzene; hexachlorocyclopentadiene; lindane; thallium; toluene; 1,2-transdichloroethylene; 1,2,4-trichlorobenzene; and vinyl chloride. EPA also announced the availability of an updated national recommended water quality criteria compilation. The updated compilation is available at <http://www.epa.gov/waterscience/humanhealth/>. In the updated compilation, EPA partially revised 83 national recommended water quality criteria for protecting human health. The fifteen criteria in the Notice are not part of the updated compilation. EPA will accept scientific views on the fifteen criteria until 25 February 2003. For further information, contact Cindy Roberts, EPA at (202) 566-1124.



## GENERAL INFORMATION

**PROPOSED RULE – DESIGNATION OF CRITICAL HABITAT FOR KLAMATH AND COLUMBIA RIVERS DISTINCT POPULATION SEGMENTS OF BULL TROUT** – On 29 November 2002 (67 FR 71235), the U.S. Fish and Wildlife Service (FWS) proposed designation of critical habitat for the Klamath River and Columbia River distinct population segments (DPS) of bull trout (*Salvelinus confluentus*) pursuant to the Endangered Species Act (ESA). For the Klamath River distinct population segment (DPS), the proposed critical habitat designation includes approximately 476 kilometers (km) (296 miles (mi)) of streams and 13,735 hectares (ha) (33,939 acres (ac)) of lakes and marshes in Oregon. For the Columbia River DPS, the proposed critical habitat designation totals approximately 29,251 km (18,175 mi) of streams and 201,850 ha (498,782 ac) of lakes and reservoirs, which includes: approximately 14,416 km (8,958 mi) of streams and 83,219 ha (205,639 ac) of lakes and reservoirs in the State of Idaho; 5,460 km (3,391 mi) of streams and 18,077 ha (44,670 ac) of lakes and reservoirs in the State of Oregon; and 4,034 km (2,507 mi) of streams and 12,503 ha (30,897 ac) of lakes and reservoirs in the State of Washington. If this proposal is made final, Federal agencies will be required to meet the requirements of section 7(a)(2) of ESA with regard to critical habitat. Specifically, Federal agencies shall, in consultation with FWS ensure that any action they authorize, fund, or carry out is not likely to result in the destruction or adverse modification of critical habitat. The term “destruction or adverse modification” means direct or indirect alteration that appreciably diminishes the value of the critical habitat for both the survival and recovery of a listed species (50 CFR 402.02). Section 4(b)(2) of ESA requires the designation of critical habitat to be made on the basis of the best scientific data available and after taking into consideration the economic impact, and any other relevant impact, of specifying any particular area as critical habitat. FWS solicits data and comments from the public on all aspects of this proposal, including data on economic and other impacts of the designation. FWS may revise this proposal prior to final designation to address new information received during the comment period. Public comments are due by 28 January 2003. For further information, contact John Young, FWS at (503) 231-6131.

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## **UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS**

### **DSMOA TRAINING WORKSHOPS**

**23-24 January 2003 – Honolulu, Hawaii**  
**25-26 February 2003 – Sacramento, California**  
**18-19 March 2003 – Colorado Springs, Colorado**  
**2-3 April 2003 – Palm Springs, California**  
**30 April-1 May 2003 – Seattle, Washington**  
**6-7 May 2003 – Anchorage, Alaska**

DoD has announced its 2003 series of workshops for the DoD and State Memorandum of Agreements (DSMOA) training initiative. These workshops will focus on teaching a standardized approach to the 6-Step Cooperative Agreement process and promoting a productive dialogue between members of the DSMOA program. Both DoD and state DSMOA personnel are encouraged to attend. For more information or to register, link <http://www.enstg.com/conference>.

### **AMERICAN INDIAN CULTURAL COMMUNICATIONS COURSE**

**27-30 January 2003 – Tucson, Arizona**

DoD is sponsoring this course at Davis-Monthan Air Force Base. The course is designed to present DoD/American Indian/Alaska Native Policy and its implementation at installations. It will be taught primarily by American Indian trainers, with some segments taught by DoD and regional American Indian participants. The topics include: History of Indian Laws and Legal Base for DoD Policy, Federal Laws and Policies Impacting DoD Relationships with Indian Tribes, Introduction to Tribal Concepts and Culture, Cross-Cultural Communication, Strategies for Consulting with Tribes, and Skills for Managing Conflict. There is no registration fee for DoD/federal employees, including contractors. For more information or to register, contact Dr. Donata Renfrow at (678) 357-6513, or e-mail: [donata@mindspring.com](mailto:donata@mindspring.com).

### **EPA UXO TRAINING COURSE**

**28-30 January 2003 – San Francisco, California**

This course provides an overview of technical training essential to project managers involved in the investigation and cleanup of ordnance and explosives at ranges, ammunition depots, storage areas and manufacturing sites. The Systematic Planning Process is emphasized as a model for project planning. For more information or to register, contact Margaret Clark at (703) 642-6847, or e-mail: [clarkmar@versar.com](mailto:clarkmar@versar.com).

### **HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE**

**28-30 January 2003 – Monterey, California**

The Navy School, Civil Engineers Corps Officers, is offering this DoD Interservice Environmental Education Review Board course. The course is tuition-free to DoD and civil service employees and contractors. The course description and on-line registration are available at <https://www.cecos.navy.mil>.

### **SUPER ENERGY SAVINGS PERFORMANCE CONTRACTING WORKSHOP**

**25-26 February 2003 – San Francisco, California**  
**20-21 May 2003 – Indianapolis, Indiana**  
**22-23 July 2003 – Washington, DC**

The U.S. Department of Energy, Federal Energy Management Program, is presenting this free workshop for federal employees involved in energy management, engineering, and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. For more information or to register, call (703) 243-8343.



**ENVIRONMENTAL NEGOTIATION WORKSHOP****18-20 March 2003 – Silverdale, Washington**

The Naval School, Civil Engineer Corps Officers, is presenting this workshop at no cost to DoD personnel. The workshop provides instruction on the negotiating and communication skills necessary to establish productive relationships and achieve beneficial agreements with regulatory and public stakeholders. It stresses the interpersonal, organizational and public interaction aspects of negotiation in environmental decision-making. This course is intended for DoD and civilian personnel involved in Regulatory Compliance, Installation Restoration, Planning, Natural Resources and Base Realignment and Closure who have decision-making roles with regulatory agencies and the public. For more information or registration, link <https://www.cecos.navy.mil/>.

**ARMY ENVIRONMENTAL TRAINING WORKSHOP****23-28 March 2003 – Kansas City, Missouri**

The Army Training and Doctrine Command (TRADOC) and the Army Environmental Center (AEC) are sponsoring this workshop, which will consist of numerous environmental short courses and seminars. It is intended to provide: 1) awareness and training in Army environmental programs; 2) preparation for the new installation management business models, such as TIM and EMS; and 3) opportunities for installation staff to obtain program updates and share lessons learned. For more information, contact Susan West, TRADOC at (757) 788-2279, e-mail: [wests@monroe.army.mil](mailto:wests@monroe.army.mil), or Susan Thomas, AEC at (410) 436-6899, e-mail: [Susan.Thomas@aec.apgea.army.mil](mailto:Susan.Thomas@aec.apgea.army.mil).

**29<sup>th</sup> ENVIRONMENTAL AND ENERGY SYMPOSIUM****7-10 April 2003 – Richmond, Virginia**

This symposium is sponsored by the National Defense Industrial Association, Environment and Energy Division, in cooperation with the Deputy Under Secretary of Defense for Installations and Environment, the Defense Logistics Agency, EPA and DOE. It will provide a national forum for the exchange of technical information, government policy, regulations, programs and laws, and new ideas on environmental and energy issues and areas of concern. For more information, contact Derek Jenks at [djenks@ndia.org](mailto:djenks@ndia.org) or link <http://register.ndia.org/interview/register.ndia?~Brochure~3440>.

**INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS****8-10 April 2003 – Las Vegas, Nevada****15-17 April 2003 – Anchorage, Alaska****26-28 August 2003 – Seattle, Washington**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, contact Suaquita Perry (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

**NATIONAL POLLUTION PREVENTION ROUNDTABLE SPRING CONFERENCE****8-11 April 2003 – Louisville, Kentucky**

The Pollution Prevention (P2) Roundtable will bring together pollution prevention practitioners and experts to share the latest in policy, regulatory, and technical information. The meeting will feature special tracks on Environmental Management Systems and P2, international sustainability policy discussions as a follow-up to the World Summit, and P2's role in addressing global climate change challenges. For more information, link <http://www.p2.org/events/spring2003/>.

**25<sup>TH</sup> SYMPOSIUM ON BIOTECHNOLOGY FOR FUELS & CHEMICALS****4-7 May 2002 – Breckenridge, Colorado**

The National Renewable Energy Laboratory is sponsoring this symposium, which focuses on improving the economics of fuels and chemicals production. The program will cover the latest research breakthroughs and results in biotechnology. A variety of formal technical sessions, poster sessions, and

informal discussion groups will provide an exchange of information for attendees. For more information or registration, link [http://www.nrel.gov/biotech\\_symposium](http://www.nrel.gov/biotech_symposium).

### **INTERMEDIATE HEALTH RISK COMMUNICATION WORKSHOP**

**12-15 May 2003 – San Antonio, Texas**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, contact Suaquita Perry (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

### **9<sup>TH</sup> NATIONAL CLEAN CITIES CONFERENCE**

**18-21 May 2003 – Palm Springs, California**

The Department of Energy is sponsoring this conference and exposition. Topics will include alternative fuel vehicles, energy security, and clean air. For more information or to register, link [http://www.ccities.doe.gov/conference/palm/palm\\_home.shtml](http://www.ccities.doe.gov/conference/palm/palm_home.shtml).

### **REAL WORLD CLEAN AIR SYMPOSIUM**

**19-22 May 2003 – Seattle, Washington**

This event will be sponsored by the U.S. Army Forces Command, Hill Air Force Base, Fort Irwin, and the West Coast Section, Air and Waste Management Association, with support from the Army Training and Doctrine Command, the Army Environmental Center, and EPA. Topics to be addressed include installation sustainability, Environmental Management Systems, installation air program management, pollution prevention, and homeland security. For more information, contact Michelle Kubal at (937) 254-7950, ext. 1168, e-mail [mkubal@anteon.com](mailto:mkubal@anteon.com), or link <http://www.usasymposium.com>.

### **11<sup>th</sup> ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM**

**19-22 May – Sparks, Nevada**

The Joint Ordnance Commanders Group and the National Defense Industrial Association are presenting this symposium to support DoD in efforts directed at reducing the stockpile of excess and obsolete munitions. Topics include ongoing disposal, recycling and reuse programs, research and development efforts, transitioning technologies, and the latest policy issues. For more information, contact Paul Cole at (918) 420-8823, or link <http://www.ndia.org/events/brochure/3580/>.

### **AIR AND WASTE MANAGEMENT ANNUAL CONFERENCE & EXHIBITION**

**22-26 June 2003 – San Diego, California**

AWMA will be presenting its 96<sup>th</sup> annual conference with the theme: "Environment in the Balance...THE JOURNEY AHEAD," and will focus on "Energy, Economy & Global Challenges." AWMA has issued a call for Abstracts and had posted a Technical Program grid on its website. For more information, link <http://www.awma.org>.

The US Army Corps of Engineers Professional Development Support Center has released its FY 03 training course schedule. Environmental courses include: Clean Air Act Workshop, CERCLA/RCRA Remediation Processes, Environmental Impact Assessment, and Environmental Regulatory Practical Application. The schedule is available at: <http://pdsc.usace.army.mil/CourseScheduleNewFY.asp>.

The fiscal year 2003 schedule for the Air Force Institute of Technology Training courses is available at: <http://cess.afit.edu>. Environmental courses include: Introduction to Environmental Management, Air Quality Management, Environmental Compliance Assessment, Hazardous Waste Management, and Pollution Prevention Program Operations.

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## STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



# ALASKA

### Regulatory Developments & Other State Information

**ALASKA FORUM ON THE ENVIRONMENT – 10-14 FEBRUARY 2003** – The Alaska Forum on the Environment will be held at the Egan Convention Center in Anchorage. In conjunction with the Forum, there will be a statewide Restoration Advisory Board (RAB) Workshop for RAB co-chairs on 13 February. For more information about the Forum or to register, link <http://www.akforum.com>.

### Legislative Developments:

The 2002 Alaska Legislature adjourned 21 May. The environmental bills that were tracked during the session were summarized in the July Review. For additional information on the 2002 legislative session, link <http://www.legis.state.ak.us/>. The 2003 legislative session will begin 21 January.

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## IDAHO

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### Regulatory Developments & Other State Information

**PROPOSED REGULATION – FEES FOR ENVIRONMENTAL OPERATING PERMITS** – The Idaho Department of Environmental Quality (DEQ) has adopted a temporary rule and has approved a new permanent rule for fees for environmental operating permits, parcel surveys, and sanitary restrictions administration. The new rule will: (1) transfer the fees from the Health and Welfare rules to DEQ's rules; and (2) restore to local health districts the authority to adopt equivalent or more stringent fees to cover services provided. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Barry Burnell at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

### AIR INFORMATION:

**PROPOSED REGULATION – OPEN BURNING REQUIREMENTS** – The Idaho DEQ has adopted amendments to its open burning regulations. The amendments include: (1) limiting burning of material that causes excessive smoke; (2) limiting open burning to daylight hours; (3) requiring prescribed burning not meeting all conditions of an existing smoke management program to comply with restrictions prescribed by DEQ during the periods of 1 March through 30 May, and 1 September through 30 November; (4) recommending reasonable precautions for open fires, including burning only when fuels are dry and smoke dispersion is adequate, notifying neighbors, avoiding smoke impacts to nearby residents and businesses, avoiding burning during weekends, holidays, and special events, avoiding the creation of visibility hazards along roadways, and checking with local fire agency for safety requirements; and (5) clarifying when burning of domestic household waste is allowed. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Diane Riley at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

### WASTE INFORMATION:

**TEMPORARY AND PROPOSED REGULATION – SOLID WASTE RULES FOR NON-MUNICIPAL FACILITIES** – The Idaho DEQ has adopted rules to reform the non-municipal solid waste management regulations. The rules will: (1) repeal the existing regulations; (2) provide for statewide consistency in solid waste management; (3) ensure proper management; (4) provide specific siting and operational requirements based on volume of waste, waste characteristics, type of waste management facility, and potential health and environment impacts; (5) provide for application submission and review process; and (6) include the existing commercial waste siting license fee. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Dean Ehlert at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

**PROPOSED REGULATION – UNDERGROUND STORAGE TANK SYSTEMS** – The Idaho DEQ has adopted rules to implement its authority to regulate underground storage tank (UST) systems. These rules will adopt with some modifications the technical standards found in 40 C.F.R. Part 280 for design, construction, installation, operation, release detection, closure and financial assurance requirements for UST systems. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Richard Jarvis at (208) 373-0247, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

**WATER INFORMATION:****PROPOSED REGULATION – ENGINEERING STANDARDS FOR PUBLIC DRINKING WATER**

**SYSTEMS** – The Idaho DEQ has approved updates to its engineering standards for public drinking water systems. The amendments include: (1) updating engineering standards for the design, construction, and operation of public drinking water systems to increase flexibility and incorporate engineering developments that have occurred since the mid 1980s; (2) changing contact addresses and telephone numbers; (3) making syntactical and technical corrections; and (4) temporarily waiving continuing education requirements for certified operators who are called to active military service and are unable to comply. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Tom John at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/02jul.pdf>.

**PROPOSED REGULATION – ADOPTION OF FEDERAL DRINKING WATER RULES** – The Idaho DEQ has adopted federal drinking water standards. The standards include: (1) filter backwash recycling rule; and (2) long term enhanced surface water treatment rule. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Tom John at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/02jul.pdf>.

**PROPOSED REGULATION – COPPER AND LEAD CRITERIA FOR BOISE RIVER** – The Idaho DEQ has adopted site-specific criteria for lead and copper for the Boise River. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Chris Mebane at (208) 373-0173, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

**PROPOSED REGULATION – USE ATTAINABILITY AND WATER QUALITY CRITERIA** – The Idaho DEQ has adopted amendments to its use attainability designations and water quality criteria. The amendments include: (1) changing aquatic life values for multiple waterbodies to either cold water or cold water -- salmonid spawning; (2) designating uses for multiple waterbodies to secondary contact recreation; (3) redesignating tributaries to Bear Lake as special resource waters; and (4) for chemical criteria, printing the actual numeric federal criteria rather incorporating them by reference. The amendments will become final effective upon adjournment of the 2003 legislative session if not disapproved by the Idaho Legislature. For more information, contact Chris Mebane at (208) 373-0173, or link <http://www2.state.id.us/adm/adminrules/bulletin/02dec.pdf>.

**Legislative Developments**

**The 2002 Idaho legislature adjourned 15 March. The environmental bills that were tracked during the session were summarized in the May Review. For more information on the 2002 legislative session, link <http://www2.state.id.us/legislat/>. The 2003 legislative session will begin 6 January.**



## OREGON

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### WATER INFORMATION:

**FINAL REGULATION – WASTEWATER SYSTEM OPERATORS** – The Oregon Department of Environmental Quality (DEQ) has adopted updates to its wastewater system operator certification. The amendments: (1) increase most fees for renewal of certificates and examinations; (2) increase all fees for new certificates and certificate reinstatement; (3) establish a new fee for open scheduling of examinations; (4) establish new fees for wastewater system owners required to employ certified operators; (5) expand qualification options for certification; (6) lengthen the certification reinstatement period; and (7) establish a compliance option for system owners who unexpectedly are without a qualified operator. The amendments were effective 16 October 2002. For more information, contact Loretta Pickerell at (503) 229-5445, or link

[http://arcweb.sos.state.or.us/rules/1202\\_Bulletin/1202\\_ch340\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1202_Bulletin/1202_ch340_bulletin.html).

**FINAL REGULATION – BALLAST WATER DISCHARGE REPORTING** – The Oregon DEQ has adopted new ballast water discharge rules. The rules include: (1) a requirement that vessels report ballast water management information to DEQ at least 24 hours before entering the waters of the state; and (2) prohibition of ballast water discharge into waters except under conditions, such as open ocean exchange. A vessel is defined as a tank vessel, cargo vessel of 300 gross tons or more, or passenger vessel of 300 gross tons or more. The rules were effective 1 December 2002. For more information, contact Edmund Wilson at (503) 229-5373, or link

[http://arcweb.sos.state.or.us/rules/1202\\_Bulletin/1202\\_ch340\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1202_Bulletin/1202_ch340_bulletin.html).

**FINAL REGULATION – PERMIT EXTENSION PROCESS**– The Oregon Department of Water Resources has adopted amendments to its permit extension process for municipal water systems. These permit extension rules apply to all extension applications by holders of municipal water supply permits requesting additional time to complete construction and/or apply water to full beneficial use. The amendments include: (1) a definition of "municipal water supply permit;" (2) application requirements; (3) criteria for Department review of extension applications by holders of municipal water supply permits; (4) criteria for determining time of extension; (5) specific requirements related to conservation measures and water use development; and (6) bench marks for evaluating the implementation of certain conservation measures. The amendments were effective 1 November 2002. For more information, contact Dwight French at (503) 378-8455, ext.268, or link

[http://arcweb.sos.state.or.us/rules/1202\\_Bulletin/1202\\_ch690\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1202_Bulletin/1202_ch690_bulletin.html).

**FINAL REGULATION – ADOPTION OF FEDERAL DRINKING WATER STANDARDS** – The Oregon Department of Human Services has adopted federal drinking water regulations. The regulations include: (1) standards for recycling filter backwash water; (2) monitoring and treatment for radionuclides; and (3) development of written emergency response and water system operations plans. The regulations were effective 25 October 2002. For more information, contact Jana Fussell at (503) 731-4320, or link

[http://arcweb.sos.state.or.us/rules/1202\\_Bulletin/1202\\_ch333\\_bulletin.html](http://arcweb.sos.state.or.us/rules/1202_Bulletin/1202_ch333_bulletin.html).

### Legislative Developments

Oregon did not have a regular legislative session in 2002. For detailed information on Oregon's 2001 legislative session, link <http://www.leg.state.or.us>. The 2003 legislative session will begin 13 January.

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## WASHINGTON

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### AIR INFORMATION:

**FINAL REGULATION – PUGET SOUND OPEN BURNING** – The Puget Sound Clean Air Agency has amended its outdoor burning regulations. The amendment revised the legal description of the area in which outdoor burning is prohibited, based on Kitsap County's recent adoption of a new urban growth area boundary around the city of Poulsbo. The amendment was effective 30 November 2002. For more information, contact Dennis McLerran at (206) 689-4010, or link <http://slc.leg.wa.gov/wsr/2002/22/02-22-050.htm>.

### WATER INFORMATION:

**FINAL REGULATION – AUTHORITY OF WATER CONSERVATION BOARDS** – The Washington Department of Ecology (DOE) has adopted regulations to clarify the responsibilities of water conservation boards and to achieve consistency with its water management statutes. The regulations include: (1) technical assistance from DOE to water conservancy boards on matters relating to water right change applications; (2) withdrawal of water conservancy board decisions from DOE back to individual conservancy boards; (3) dual filing of a water right application to a water conservancy board and DOE; (4) conveying applications previously filed with DOE to water conservancy boards; (5) dissolving an established water conservancy board; (6) scope of authority of the boards; (7) protests and letters of concern; (8) conflict of interest rules; (9) alternate board commissioners; (10) restructuring of boards — (3 or 5 commissioners, single or multi-county, single or multi-watershed); and (10) definition of a water right holder and a non-water right holder in the context of identifying water conservancy board commissioners. The regulations will be effective 9 January 2003. For more information, contact Chris Anderson at (360) 407-6634, or link <http://www.ecy.wa.gov/laws-rules/activity/wac173153.html>.

### Legislative Developments

**The 2002 Washington legislature adjourned March 14. The environmental bills that were tracked during the session were summarized in the May Review. For more information on the 2002 legislative session, link <http://www.leg.wa.gov/wsladm>. The 2003 legislative session will begin 13 January.**

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